

HSLW 15

JAN 14 2010

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE F. GLASER, on Behalf of  
Himself and All Others Similarly Situated,

Plaintiff,

vs.

THE9, LTD., et al.,

Defendants.

Civil Action No. 1:09-cv-08904-RJH

CLASS ACTION

J. DAVID O'DEA, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

vs.

THE9, LTD., et al.,

Defendants.

Civil Action No. 1:09-cv-09166-RJH

CLASS ACTION

STIPULATION AND [PROPOSED] ORDER CONSOLIDATING ACTIONS, APPOINTING  
LEAD PLAINTIFFS AND APPROVING LEAD PLAINTIFFS' SELECTION OF LEAD  
COUNSEL

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/2/10

WHEREAS, the Private Securities Litigation Reform Act of 1995 ("PSLRA"), 15 U.S.C. §78u-4(a)(3)(B)(iii), provides, *inter alia*, that the most adequate plaintiff to serve as lead plaintiff is, in the determination of the Court, the "person or group of persons" that has the largest financial interest in the relief sought by the class and otherwise satisfies the requirements of Fed. R. Civ. P. 23;

WHEREAS, on December 21, 2009, a motion was filed by Lawrence F. Glaser ("Glaser") seeking consolidation, appointment as Lead Plaintiff and approval of his selection of the law firm of Coughlin Stoia Geller Rudman & Robbins LLP as Lead Counsel;

WHEREAS, on December 21, 2009, a motion was filed by Chen Kuang ("Kuang") seeking consolidation, appointment as Lead Plaintiff and his approval of Glancy Binkow & Goldberg LLP as Lead Counsel;

WHEREAS, Glaser and Kuang have agreed that it is in the best interests of the putative class to jointly litigate this action as Lead Plaintiffs and for their choice of counsel to serve as Lead Counsel;

IT IS HEREBY STIPULATED and AGREED, subject to the Court's approval, as follows:

1. The Related Actions are hereby consolidated for all purposes under Fed. R. Civ. P. 42(a).

2. Glaser and Kuang are appointed to serve as Lead Plaintiffs in the above-captioned action pursuant to 15 U.S.C. §78u-4(a)(3)(B).

3. Glaser and Kuang's selection of the law firms of Coughlin Stoia Geller Rudman & Robbins LLP and Glancy Binkow & Goldberg LLP as Lead Counsel is hereby approved. These firms will serve as Class Counsel and, as such, shall have the following responsibilities:

(a) to brief and argue motions;

(b) to initiate and conduct discovery, including, without limitation, coordination of discovery with defendants' counsel, the preparation of written interrogatories, requests for admissions, and requests for production of documents;

(c) to direct and coordinate the examination of witnesses in depositions;

(d) to act as spokesperson at pretrial conferences;

(e) to initiate and conduct any settlement negotiations with counsel for defendants;

(f) to consult with and employ experts;

(g) to receive and review periodic time reports of all attorneys on behalf of plaintiffs, to determine if the time is being spent appropriately and for the benefit of plaintiffs, and to determine and distribute plaintiffs' attorneys' fees; and

(h) to perform such other duties as may be expressly authorized by further order of this Court.

DATED: January 13, 2010

COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP

  
\_\_\_\_\_  
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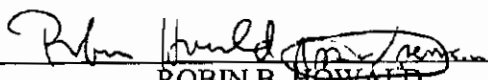
*[Proposed] Co-Lead Counsel for Plaintiffs*

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*Additional Counsel for Plaintiffs*

DATED: January 13, 2010

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ROBIN B. HOWALD

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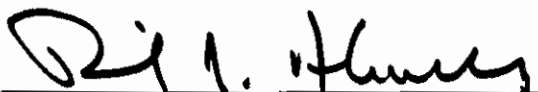
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*[Proposed] Co-Lead Counsel for Plaintiffs*

\* \* \* \*

IT IS SO ORDERED.

DATED: 2/2/10

  
THE HONORABLE RICHARD J. HOLWELL  
UNITED STATES DISTRICT JUDGE r